

one else whom the President may nominate. The same situation would apply to those of thirty-five other nominations which will fall as the result of opposition by Senators. This is particularly true of a dozen postmasters whose nominations are disapproved by the Senators of their respective States.

Many of the thirty postmasters, however, together with those of Charles P. McClelland of New York, to be a member of the Board of General Customs Appraisers, A. B. Bow of Maryland, to be Deputy Auditor of the Treasury and A. C. Atkinson to be secretary of the Territory of Hawaii, were unexpectedly named from confirmation by the workings of the unanimous current agreement to vote on the Cuban Reciprocity bill. When the discussion proceeded whether any of the business should be transacted, and it was decided in the negative, it was also held to apply to executive business, which, of course, included nominations.

#### NO "OPEN SHOP"

Delegates to Chicago Convention Told Not to Agree to the Plan.

Instructions were given yesterday to Benjamin D. Traut and James R. Strong, the delegates from the Building Trades Employers' Association to the convention called in Chicago for Thursday with the object of forming a national building contractors' association and the two delegates will leave for Chicago to-morrow.

There may be a clash at the convention over the "open shop" question, and the New York delegates have been instructed not to commit themselves in any way to the open shop idea.

The building contractors' agreement with the employees since the last labor troubles in Chicago is the most powerful support of the open shop, though the agreements are actually signed by the officers of the unions, and while only union men are employed, there is nothing in the agreements touching on the employment of union or non-union men.

In England the open shop idea prevails now and there is an extensive open shop movement throughout this country in many workshops and factories. Henry C. Hunter, secretary of the New York Metal Trades Association, said yesterday:

"From a union point of view the closed shop gives the workers the most power as in an open shop they could only have a partial strike in case they decided on ordering one. The open shop, however, protects employees from a permanent loss of arbitrary strikes. The open shop question is a very large one in some parts of the country. Here the building trades unions have been so strong that the open shop idea was out of the question."

#### TOOK THE NON-UNION MEN AWAY.

Striking Miners Prevent the Coal Creek Company From Starting Up Again.

KNOXVILLE, Tenn., Dec. 5.—The Coal Creek Coal Company of this place had a renewal of the labor trouble at Coal Creek last night. H. A. Campbell, secretary of the company, arrived from St. Louis with twenty-eight non-union Colorado miners. Fifteen of them failed to connect with their car at Louisville, after getting lunch, and were lost.

No sooner had the men arrived than nearly five hundred men, supposed to be union miners from the Jellico district, appeared and told the non-union men to leave them to talk to the non-union men. This morning early the new miners were taken by the union men and disappeared.

The Coal Creek Coal Company has had an option on mines for years, but a few weeks ago had a row with the union miners and had been with the union business on account of force shown. The company announces that it will quit the mining business before it will employ union labor.

#### WILL CLOSE THE RESTAURANTS.

Labor Row in San Francisco Will Discontinue Tomorrow.

SAN FRANCISCO, Dec. 5.—Most of the San Francisco restaurants will close to-morrow night and thousands who ate Sunday evening dinners at restaurants will have to indulge in light-housekeeping repasts. The members of the Restaurant Keepers' Association have decided to close all their places until the restaurant workers' association keeps its agreement.

The present compact between the restaurant men and the cooks and waiters' union will end on Friday. The union has begun to send individual agreements to the restaurant keepers to sign for another year, but they refused to get the union agreement of their association. The union has already ordered out waiters from several places that refused to sign.

The loss to restaurant will be heavy, but the proprietors say that they will remain closed until the union agrees to a sensible arrangement.

#### WAGES INCREASED FOR STOCK YARDS MEN.

CHICAGO, Dec. 5.—Final conference to adjust the wages and working conditions for the coopers, tin can workers and casing workers' unions at the stock yards were held today between the officials of the union and the representatives of the large packing firms. Substantial wage increases averaging from \$1.00 to \$1.50 were secured by the unions. About 2,000 employees are helped.

#### PLEDGED NOT TO USE UNION LABELS.

DAYTON, O., Dec. 5.—The executive committee of the newly organized Citizens' Industrial Association of America, in session here yesterday, adopted a resolution providing that members should not place the union label on articles of their own manufacture.

#### NEW YORK HOUSEHOLDERS TO HAVE A BALL.

The New York Householders' Union, which is taking the place of Park's old union, will have its first annual ball at Teutonia Assembly Rooms on Tuesday evening, Dec. 22.

#### SHOT HIS RIVAL AND FORMER SWEETHEART.

PARIS, Mo., Dec. 5.—Enraged because his sweetheart, Miss Annie Hartman, whom he had secured, had been wedded to another man, Frank Dawson, a member of one of Monroe county's pioneer families, last night shot both his sweetheart and her rival, One Hughes. The crime was committed at the home of George Owens, near Madison, during a dance. The girl was wounded mortally and the condition of Hughes is serious.

#### FIRST 4-MASTED, BALDHEADED SCHOONER.

The first four-masted, baldheaded schooner (no topmasts) started from this port yesterday on her maiden voyage for Brunswick to engage in the lumber carrying trade. She is named Quinebaugh and was built at Mystic, Conn., at a cost of \$35,000. Her carrying capacity is 1,100 tons. She sails from Providence.

#### THE DE MOINES EXCEEDS CONTRACT SPEED.

BOSTON, Dec. 5.—The third class protected cruiser De Moines, built at Quincy, had her official speed trial over the Cape Ann course to-day, making the average speed of 16.33 knots for four consecutive hours' steaming. The contract called for 16.5 knots an hour. The best speed attained at any one time was at the rate of 16.7 knots.

#### MGR. FALCONIO GUEST OF XAVIER SOCIETY.

MGR. Falconio, the Apostolic Delegate, will be the guest of honor at a breakfast and solemn high mass of the Xavier Alumni Society this morning, given to celebrate the fortieth anniversary of the Society. The solemn pontifical high mass will be celebrated by Bishop Hendrick of Cebu, Philippine Islands.

#### MASTER BREWERS' SOCIETY.

The Master Brewers' Society of New York gave its annual ball last night at Terrace Garden. There was a large attendance. The dancing was preceded by a vaudeville entertainment.

#### THE W. T. GARNER ESTATE.

Executor and Trustee Thorne's Accounts Show \$8,120,780 For the Heirs.

POUGHKEEPSIE, Dec. 5.—The accounts of William E. Thorne, sole surviving executor and trustee under the will of William T. Garner, deceased, have been passed and allowed by the courts and a decree to that effect entered in the Dutchess County Clerk's office. Mr. Garner was a wealthy resident of New York, and in 1876 was drowned with his wife by the upsetting of his yacht in a canal. He bequeathed several large cotton mills and print works, which, since his death, have been maintained by his estate for the benefit of his three daughters, Marcelle, Thorne, and Estelle. Florence Josephine Gordon Cumming and Edith Marian de Molke Huitfeldt.

The accounting made by Mr. Thorne shows that on Jan. 1, 1901, he was charged with the sum of \$14,808,976.26 for the Garner estate. From this sum of \$2,732,000.63 is deducted for various payments, leaving the balance of personal property on hand at \$12,076,975.63. After deducting the balance of income and profits due Mr. Garner's three daughters amounting to \$3,850,978.16, there will remain as the amount of the principal of the estate, exclusive of real estate, in the hands of Mr. Thorne, \$8,225,997.47. From this should be deducted the further sum of \$10,109,335.12 to the testator's daughters, leaving \$12,789,122.35 as the corpus of the trust on Jan. 1, 1901. Included in the assets of the estate are the Dutchess Print Works at Wappinger's Falls, appraised at \$1,475,000; Rockledge, Print Works, at \$1,800,000; Newburgh Steam Mill, \$202,000.75; Harmony Mills, \$3,246,637.53.

#### PLEADED FOR HER UNCLE.

Girl Goes to Court and Asks for a Light Sentence for a Murderer.

CLEVELAND, Dec. 5.—Judge Strimple had just taken his seat on the bench in Criminal Court to-day and James P. Winn had been brought in to be sentenced, when a girl stepped forward from the crowd and walked to the steps leading to the desk. At the foot of the steps she hesitated, but climbed the steps and took a seat beside the Judge.

Judge Strimple turned to her. "Please, Judge, don't be too hard with my uncle," she said.

"Who is your uncle?"

"Mr. Winn. He is like him. Please don't send him away for long."

"What is your name?"

"My name is Mary Jane. My father told me to tell you that he is a good man and that he is sorry for what he has done."

The judge looked at the girl for a moment, then he said: "You are a very good girl. I will take your word for it. I will give your uncle a light sentence."

#### HIS ESTATE TO HARVARD.

Henry S. Nourse Provides for a \$50,000 Fund for the University's Use.

WORCESTER, Mass., Dec. 5.—Harvard University is a beneficiary under the will of Henry S. Nourse of Lancaster, filed here to-day. After making personal bequests the will provides for the accumulation of the addition of interest to the principal of a fund of at least \$50,000, which shall bear the name of the testator, and at the option of the president and fellows of Harvard may be used for any purpose deemed to be in the interests of the university.

It is not known how much Harvard will receive under the will, but all personal and real property not included in other bequests will be left to the university. The testator was graduated several years ago from Harvard.

#### THE REV. J. G. EWEN RESIGNS.

Differences With the Rector Not the Cause, Says Col. E. A. Stevens.

The Rev. George E. Magill, rector of the Holy Innocents Episcopal Church, Willow avenue and Sixth street, Hoboken, which is the home of the Rev. J. G. Ewen, of Castle Point, has accepted the resignation of his assistant, the Rev. John G. Ewen. It has been rumored that there had been differences of opinion between the rector and his assistant as to the ritual and the manner of conducting the services. Col. E. A. Stevens said yesterday that no difference of opinion was responsible for the resignation.

#### MUSIC IN NEW ROCHELLE.

Four Concerts Arranged for by the Westchester Philharmonic Society.

The most important musical affairs of the season in New Rochelle will be the four concerts of the Westchester Philharmonic Society to be given in the New Rochelle Theatre on the evenings of Dec. 8, Jan. 12, Feb. 15 and April 5. The society was organized last year and it received the enthusiastic support of music lovers in New Rochelle, Larchmont and Pelham Manor. For this, its second season, the managers have outlined a series of concerts even more ambitious than those of last year.

#### THE SWORD OF DAMOCLES.

With boys disguised as girls the ephorom class of Columbia University will present its annual sophomore play at Carnegie Lyceum this week on the evenings of Wednesday, Thursday and Friday.

The play is titled "The Sword of Damocles." It will be given by the Musurgia Club of New York and by Frank Danforth and his symphony orchestra. The advanced subscription has been large, and a brilliant season is insured. Mrs. Henry D. Noyes is the president of the society, and the vice-presidents are Robert C. Smith, John C. Hazen, Mrs. John W. Boothby and Mrs. Edmund W. Bodine.

#### FIRE IN THE ROCKAWAY HUNTING CLUB.

CENAHURST, L. I., Dec. 5.—The handsome clubhouse of the Rockaway Hunting Club was threatened with destruction by fire to-day. The flames started about the furnace and crept between the floor and ceiling along the heating flues. The firemen had to cut through two floors and tear down several partitions to get at the flames.

#### THE BILLIARD AND READING ROOMS ON THE FIRST FLOOR OF THE METROPOLITAN PRINTING COMPANY OF NEW YORK CITY.

The billiard and reading rooms on the first floor of the Metropolitan Printing Company of New York City, issued an attachment for \$1,100 to-day against Robert E. Johnson, manager of the Carle Hotel, which appeared here in the Opera House this evening. The entire box receipts, which amounted to \$300, the scenery and all appurtenances carried by the company, were levied upon.

#### DIES IN FIFTH AVENUE STORE.

WIFE OF RICH PITTSBURG MAN STRICKEN WHILE SHOPPING.

Mrs. Lawrence A. Dilworth succumbs to heart disease—Body Identified at the Tenderloin Station by a Saleswoman—Was Prominent Socially.

Mrs. Lawrence A. Dilworth of Pittsburgh died suddenly yesterday afternoon in a Fifth avenue shop of heart disease. Her husband is the head of the Dilworth Brothers Company, wholesale grocers of Pittsburgh, and of the firm of Dilworth, Porter & Co., Limited, of the same city. The latter house is a large manufacturer of railroad spikes, and has an office in this city at 127 Duane street.

Mrs. and Mr. Dilworth came here on Thursday and went to the Waldorf-Astoria, as has been their custom on their frequent trips to this city. Mr. Dilworth spent most of yesterday at his New York office, and after luncheon at the hotel, his wife started out to do some Christmas shopping. She visited a jewelry store, where the vicinity of Fifth avenue and twenty-fifth street, and then started to walk up the avenue to the Waldorf.

On the way she stopped in the shop of Henry Koopman, a dealer in antiques at 324 Fifth avenue. Koopman recognized her as an old customer, although he couldn't remember her name. At the Waldorf, Mrs. Dilworth sat down in a chair near the shop window and said to Koopman:

"I don't feel very well to-day. Please get me a glass of water."

Koopman started after the water, and Mrs. Dilworth began to cough. She clutched at her throat, and as the coughing increased, Koopman ran to her and told one of his clerks to get the water. He got to the sick woman's side just in time to hear her ask that some whiskey be brought. In the store was another woman customer, the wife of a well known New York lawyer. She went to Mrs. Dilworth's side, and heard her request for whiskey.

"Don't get whiskey," she said to Koopman. "She has heart disease. I got my doctor's word."

This woman called up her own physician on the telephone, but he was busy. Then she told Koopman that he had better get a doctor. A clerk summoned Policeman Bawley, and he sent in a call for an ambulance.

The trouble and excitement in the store had attracted a crowd, which gathered outside and grew in numbers when a New York Hospital ambulance arrived. Mrs. Dilworth died soon after the arrival of the ambulance. Heart disease caused her death, Mr. Thorne said.

Mrs. Dilworth's identity was then unknown and the body was taken in a patrol wagon to the West Thirtieth street station. Mrs. Dilworth's nurse was a Miss L. Heath Company of 9 East Forty-first street on the back of which was the name of L. S. Cole.

Detective Ray found that L. S. Cole was a saleswoman at the Heath store, and brought her to the station, where she identified the dead woman as her employer's wife. Mrs. Dilworth always stopped at the Waldorf, and word was sent there. Manager Barre telephoned to Mr. Dilworth's office, but Mr. Dilworth had left.

There are a good many well known Pittsburgh men in town as the result of the Carnegie lecture tour, and one of them is Alexander Peacock. He heard that a Pittsburgh woman had died suddenly on the street, and with his wife drove to the police station, where he learned who the woman was.

Mr. Peacock drove to the Waldorf at once and called on Mr. Dilworth, who was overcome by grief.

#### JOKE WAS ON MRS. FREVELEY.

AND SHE WON'T FAKE A SUICIDE AGAIN SOON.

John Freveley of 358 South First street, Brooklyn, had a spat with his wife, Sarah, on Friday night that made all sorts of trouble for both of the parties immediately concerned. Their neighbors, an ambulance surgeon and several other persons in the Eastern District Hospital and a policeman who had to give up part of his sleep yesterday morning to appear in court. It may appear from the foregoing that the spat assumed such proportions as to require the interference of the law and prompt a charge of assault or something of that sort, but such is not the case. The excitement was only the result of the little domestic quarrel before the ambulance surgeon and several other persons in the Eastern District Hospital and a policeman who had to give up part of his sleep yesterday morning to appear in court. 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